

SENATE BILL 1283

By Burchett

AN ACT to amend Tennessee Code Annotated, Section 56-7-2601; Title 68, Chapter 11, Part 16 and Title 68, Chapter 11, Part 2, relative to certificates of need and to repeal the Tennessee Health Services and Planning Act of 2002.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 11, Part 16, is repealed in its entirety.

SECTION 2. Tennessee Code Annotated, Section 56-7-2601(e)(2), is amended by deleting the following language: "and which has received a certificate of need from the Tennessee health facilities commission certifying the necessity of such a facility if required by law".

SECTION 3. Tennessee Code Annotated, Section 68-11-201(31)(A), is amended by deleting the following language: "and for which a certificate of need is required by this chapter".

SECTION 4. Tennessee Code Annotated, Section 68-11-202(e), is amended by deleting the first two sentences of that subsection and by substituting instead the following:

This subsection (e) shall establish the criteria for the creation of branch offices by a home care organization operating pursuant to its license as of May 11, 1998. Nothing in this subsection (e) shall permit a home care organization to expand its authority beyond the limitations of its license as of May 11, 1998.

SECTION 5. Tennessee Code Annotated, Section 68-11-204(d), is amended by deleting the current language in its entirety.

SECTION 6. Tennessee Code Annotated, Section 68-11-226(c), is amended by deleting that subsection in its entirety and by renumbering the remaining subsections as appropriate.

SECTION 7. Tennessee Code Annotated, Section 68-11-235(d), is amended by deleting the language “a certificate of need,”.

SECTION 8. This act shall take effect upon becoming a law, the public welfare requiring it.